

#11
P. J. J. J.
12/02/03

Attorney's Docket 060256-0266020
Client Reference: T298025US/PYK/KOP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re PATENT APPLICATION of:
KARI REPONEN

Confirmation Number: 1466

Application No.: 09/485,094

Group Art Unit: 2667

Filed: February 4, 2000

Examiner: Emdadi, Kamran

For: METHOD OF SENDING TIME SLOTS IN BASE STATION SYSTEM AND SUCH
A SYSTEM

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOV 28 2003
Technology Center 2600

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	18	- 20	= 0	X \$ 18.00	= \$ 0.00
INDEP.	2	- 3	= 0	X \$ 86.00	= \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 290.00	= \$ 0.00
TOTAL ADDITIONAL CLAIM FEE					\$ 0.00
GRAND TOTAL					\$ 0.00

FEE PAYMENT

Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: November 26, 2003
PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
(703) 905-2143

REG NO 38745
CHRISTINE H. MCCARTHY
Reg. No. 41844

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

REXONEN

Appln. No.: 09/485,094

Filed: February 4, 2000

Title: METHOD OF SENDING TIME SLOTS IN BASE STATION SYSTEM AND SUCH A SYSTEM

Confirmation No.: 1466

Group Art Unit: 2667

Examiner: Kamran Emdadi

November 26, 2003

* * * * *

REQUEST FOR RECONSIDERATION

RECEIVED

NOV 28 2003

Technology Center 2600

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 7, 2003, please reconsider the patentability of the pending claims based on the following remarks.

Although claims 6, 7, 15 and 16 have been objected to and been identified as allowable, providing that these claims are rewritten in independent form including all of the limitations of any base and intervening claims, Applicant delays rewriting those claims as this time to afford the Office the opportunity to fully reconsider the rejection of the base claims.

The Office Action rejected claims 1, 8, 10, 11 and 17 under 35 U.S.C. 103(a) as being unpatentable in view of Mazur et al. (U.S. 6,072,792; hereafter "Mazur") and Berglund (U.S. 6,094,567). Claims 2-5, 9, 12 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable in view of Mazur (U.S. 6,072,792), Berglund (U.S. 6,094,567) and Eizenhofer et al. (U.S. 6,933,114; hereafter "Eizenhofer"). Claims 13 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable in view of Mazur (U.S. 6,072,792), Berglund (U.S. 6,094,567) and Pernice et al. (U.S. 5,956,329; hereafter "Pernice").

Applicant traverses the rejections because no combination of the cited prior art teaches or suggests all the features recited in the rejected claims. For example, the cited prior art fails to teach or suggest a method of transmitting time slots in a base station system; the method comprising "transmitting time slots at a transmission power higher than normal alternately, using at least two different transceivers to minimize heat build-up in the transceivers," as recited in independent claim 1. Similarly, the cited prior art fails to teach or suggest a base station comprising "a control part for controlling the operation of the

transceivers. . . wherein the control part is arranged to direct the switching field to transmit time slots at a transmission power higher than normal alternately, using two different transceivers to minimize heat build-up in the transceivers," as recited in independent claim 10.

The Office Action recognized that Mazur failed to teach or suggest using a heat build up alternating transceiver system to alleviate an overused and overheated transceiver at a base station. However, the Office Action referred to Berglund as allegedly teaching a plurality of base station transceivers being used in an alternating manner for relieving the excessive heat build-up brought on the individual transceivers from over usage where the first threshold would be a first (normal) transmission power, and the switching of transceivers would be done because of exceeding the power threshold where reducing the power of the transceiver is a method for controlling the transmission powers and heat build up with a transceiver handoff scenario for the multiple transceivers based on heat build up.

However, Berglund merely teaches a temperature control safety mechanism for a base station. In Berglund, the temperature of base station is measured and, when the measured temperature reaches a first predefined level, a signal is transmitted to the mobile switching center. After that transmission, a first predefined number (e.g., 25 %) of transceivers in the base station are blocked. Berglund teaches that there can be two additional predefined temperature levels; Berglund also teaches that a larger number (e.g., 50 % or 75 %) of transceivers may be blocked if the temperature of the base station reaches those levels. Berglund further teaches that a minimum of 10 % of transceivers may remain unblocked even after reaching a maximum measured temperature, so that emergency radio traffic continues to function. Berglund teaches that, as the temperature decreases (in response to the blocking action), a reverse blocking procedure occurs to bring transceivers back into operation.

Nevertheless, the Office Action's interpretation of Berglund is inaccurate in that Berglund fails to teach "an alternating manner". Rather, to "alternate" is to interchange repeatedly and regularly with one another in time or place or to rotate. There is nothing in Berglund that supports the Office's interpretation that a "first threshold would be a first (normal) transmission power". In Berglund predefined levels (i.e., first, second, ...) refer to the temperature level, not to transmission power levels.

Moreover, the teachings of Berglund are clearly limited to a large number of transmitters (25 %, 50 %, 75 %, even 90 %) that are blocked for relatively long periods of time, e.g., several minutes. To the contrary, in the invention, transceivers are not blocked; rather, transmitters are continuously used for transmission however in an alternating manner with one another. One of ordinary skill in the art would recognize that "blocking of certain

transceivers" is not the same as using at least two different transceivers in an alternating manner.

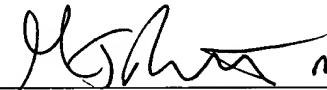
Thus, the combined teachings of Mazur and Berglund fail to teach or suggest the claimed method and base station in which time slots are transmitted at a transmission power higher than normal alternately, using at least two different transceivers to minimize heat build-up in the transceivers.

The other cited references fail to remedy the deficiencies of Mazur and Berglund because Eizenhofer is merely directed to high-speed data channels such as GPRS packet data traffic channel and Pernice is merely directed to frequency hopping in GPRS. Accordingly, claims 1-18 are allowable over the cited prior art.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited. However, if the Office believes that any further actions are necessary to place the application in even better condition for allowance, Applicants request that the Examiner contact the undersigned representative, to discuss such actions.

Respectfully submitted,

Pillsbury Winthrop LLP

By:  REG NO 32705

Christine H. McCarthy

Reg. No.: 41844

Tel. No.: (703) 905-2143

Fax No.: (703) 905-2500

CHM/eed
P.O. Box 10500
McLean, VA 22102
(703) 905-2000

489